

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	22 Cr. 293 (JPO)
UNITED STATES OF AMERICA,	:	
	:	<u>ORDER</u>
-v-	:	
	:	
JOWENKY NUNEZ,	:	
	:	
Defendant.	:	
	:	
-----	X	

J. PAUL OETKEN, District Judge:

Esere J. Onaodowan, Esq., counsel for Jowenky Nunez, is appointed to represent Mr. Nunez under the Criminal Justice Act, 18 U.S.C § 3006A ("CJA"), seeks approval for the use of CJA funds to purchase a laptop to enable this client who is detained to review discovery materials produced by the Government. Defense counsel represents that without a laptop the defendant will be unable to effectively review the voluminous discovery material that the Government has produced and continues to produce in this case.

IT IS HEREBY ORDERED that defense counsel's request for CJA funds to purchase a laptop and any subsequent external drives that may be required to provide the defendant with access to the discovery (collectively, the "Electronic Device") for purposes of defendant's discovery review is granted.

IT IS FURTHER ORDERED that Counsel shall provide the Electronic Device(s) to Dave Damo of Data Mill, to disable the wireless and printing capabilities of the Electronic Device and disable any other applications on the computer in a manner acceptable to the facility in which the defendant is lodged. Mr. Damo will send the disabled Electronic Device to the Government to inspect to ensure that the Electronic Device is disabled of applications as required by the facility in which the defendant is detained. The Government will load the discovery onto the Electronic Device, except the Government will not load the discovery which falls under the parties protective order. The Government will forward the loaded Electronic Device(s) to the appropriate liaison officer at the detention facility where the defendant is detained. Password protection will be loaded onto the Electronic Device(s) to prevent any user from making changes to the Electronic Device(s).

IT IS FURTHER ORDERED that the defendant shall not have access to material which is classified in the parties' protective agreement as "sensitive disclosure materials", except in the following circumstances:

- 1) in a meeting with defense counsel in which material on the Attorney Drive is reviewed by the defendant in the presence of counsel; or

IT IS FURTHER ORDERED that the defendant shall not download the "sensitive disclosure materials" shown to him by his attorney.

IT IS FURTHER ORDERED that the defendant may not use the Electronic Device for any purpose other than reviewing discovery materials produced in this case, for communicating with his CJA counsel, and for other communications relating to his defense in this case.

IT IS FURTHER ORDERED that no later than the conclusion of the proceedings against the defendant in the district court, whether through dismissal of the charges against the defendant or the sentencing of the defendant, the defendant shall return the Electronic Device to his counsel, who will promptly provide it to the Administrative Office of the U.S. Courts. If convicted, the defendant may not retain this laptop during any appeal.

Dated: New York, New York
March 24, 2025



J. PAUL OETKEN
United States District Judge